

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN MELENDEZ, et al.,
Plaintiffs,

v.

RALPH DIAZ, et al.,
Defendants.

Case No. 1:20-cv-01393-NODJ-CDB (PC)

ORDER ON STIPULATION EXTENDING
DEADLINE TO FILE MOTION FOR
SUMMARY JUDGMENT

(Doc. 87)

On July 28, 2022, the Court issued a Scheduling Order setting all case management dates in this case. (Doc. 31). On January 12, 2023, the Court granted the parties' stipulated request to amend the Scheduling Order. (Docs. 35-36). On May 16, 2023, the Court granted in part a second stipulated request to amend the scheduling conference. (Docs. 53-54). On September 18, 2023, the Court issued an order granting Plaintiff's motion to modify the scheduling order. *See* (Docs. 76, 83). Among other adjustments, the dispositive motion deadline was extended to December 29, 2023.

Pending before the Court is the parties' third stipulated request to extend the deadline to file motions for summary judgment by 60 days. (Doc. 87). The parties note they have completed all fact and expert discovery and there is currently no trial date set for this matter. *Id.* at 3. The parties' request an extension of time by 60 days is prompted by "Defendants' counsel's unexpected engagement in significant deposition discovery in another case which involves

significant travel throughout the month of December.” *Id.*

In light of the parties’ representations that they have timely completed all fact and expert discovery, the Court finds good cause to grant a continuance of the dispositive motion deadline. *See* Fed. R. Civ. P. 16(b)(4); *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). Accordingly, IT IS HEREBY ORDERED:

1. The parties’ stipulated request to modify date to file motion for summary judgment by sixty days (Doc. 87) is GRANTED;
2. The deadline to file dispositive motions is extended to March 1, 2024; and
3. The pretrial conference set for January 16, 2024 (Doc. 84) is VACATED and to be reset following resolution of any dispositive motion.

IT IS SO ORDERED.

Dated: **December 21, 2023**


UNITED STATES MAGISTRATE JUDGE